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ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			LY, NGHI H	
			ART UNIT	PAPER NUMBER
			2686	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/802,861

Applicant(s)

PHAN-ANH ET AL.

Examiner

Nghi H. Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 15, 19, 21 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07).

Regarding claim 15, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches a method of recovering location information of a subscriber in a mobile network (see page 13, lines 16-19), the method comprising: upon a Serving-Call State Control Function (S-CSCF) receiving a call setup request for the subscriber from Interrogating-Call State Control Function (I-CSCF) (see page 53, Fig.B.3, V1), the S-CSCF forwards a route request to a User Mobility Server (UMS) (see page 53, Fig.B.3, V6, and the “hHSS” reads on applicant’s UMS. In addition, applicant’s specification fails to further recite what a UMS is) and receives a home address of the subscriber from the UMS (see page 53, Fig.B.3, V5, and the “hHSS” reads on applicant’s UMS. In addition, applicant’s specification fails to further recite what a UMS is), forwarding the call setup request from the S-CSCF to a home agent at the home address of the subscriber (see page 53, Fig.B.3, V8), forwarding the call setup request from the home agent to the

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subscriber (see page 53, Fig.B.3, V11), and forwarding an address update from the subscriber to the S-CSCF (see page 53, Fig.B.3, V7).

Regarding claim 19, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches a method of recovering location information of a subscriber in a mobile network (see page 13, lines 16-19), the method comprising: upon an Interrogating-Call State Control Function (I-CSCF) receiving a call setup request for the subscriber (see page 53, Fig.B.3, V1), the I-CSCF forwards a route request to a User Mobility Server (UMS) (see page 53, Fig.B.3, V6, and the "hHSS" reads on applicant's UMS. In addition, applicant's specification fails to further recite what a UMS is) and receives a home address of the subscriber from the UMS (see page 53, Fig.B.3, V5, and the "hHSS" reads on applicant's UMS. In addition, applicant's specification fails to further recite what a UMS is), forwarding the call setup request from the I-CSCF to a home agent at the home address of the subscriber (see page 53, Fig.B.3, V8), forwarding the call setup request from the home agent to the subscriber (see page 53, Fig.B.3, V11), and forwarding an address update from the subscriber to the I-CSCF (see page 53, Fig.B.3, V8).

Regarding claim 21, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches a method of recovering location information of a subscriber in a mobile network (see page 13, lines 16-19), the method comprising: upon a Serving-Call State Control Function (S-CSCF) receiving a call setup request for the subscriber from Interrogating-Call State Control Function (I-CSCF) (see page 53, Fig.B.3, V1), the S-CSCF forwards a route request to a User Mobility Server (UMS) (see page 53, Fig.B.3, V6, and the "hHSS" reads on applicant's UMS. In addition, applicant's specification fails to further

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recite what a UMS is) and receives a home address of the subscriber from the UMS (see page 53, Fig.B.3, V5, and the "hHSS" reads on applicant's UMS. In addition, applicant's specification fails to further recite what a UMS is), forwarding the call setup request from the S-CSCF to a home agent at the home address of the subscriber (see page 53, Fig.B.3, V8), forwarding the call setup request from the home agent to the subscriber (see page 53, Fig.B.3, V11), and forwarding an address update from the subscriber to the S-CSCF (see page 53, Fig.B.3, V7).

Regarding claim 25, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches a method of recovering location information of a subscriber in a mobile network (see page 13, lines 16-19), the method comprising: upon an Interrogating-Call State Control Function (I-CSCF) receiving a call setup request for the subscriber (see page 53, Fig.B.3, V1), the I-CSCF forwards a route request to a User Mobility Server (UMS) (see page 53, Fig.B.3, V6, and the "hHSS" reads on applicant's UMS. In addition, applicant's specification fails to further recite what a UMS is) and receives a home address of the subscriber from the UMS (see page 53, Fig.B.3, V5, and the "hHSS" reads on applicant's UMS. In addition, applicant's specification fails to further recite what a UMS is), forwarding the call setup request from the I-CSCF to a home agent at the home address of the subscriber (see page 53, Fig.B.3, V8), forwarding the call setup request from the home agent to the subscriber (see page 53, Fig.B.3, V11), and forwarding an address update from the subscriber to the I-CSCF (see page 53, Fig.B.3, V8).

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1, 2, 5, 8, 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bharatia (Pub.No.: US 2001/0031635 A1) and further in view of Foti et al (US 6,654,606).

Regarding claim 1, Bharatia teaches a method of recovering location information of a subscriber in a mobile network (see page 4, [0081]), the method comprising: forwarding a registration request from the subscriber to a Serving-Call State Control Function (S-CSCF) (see fig.3) including the subscriber's Transport Address (TA) which is a current Care of Address of the subscriber (see page 4, [0079]), forwarding a location update of the subscriber in the mobile network from the S-CSCF to a Home

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Subscription Server (HSS) (also see fig.3) including the subscriber's TA and address of the S-CSCF (also see page 4, [0079]), and storing information including the subscriber's TA so as to be protected against loss (see page 4, [0081], the teaching of Bharatia inherently teaches storing information so as to be protected against loss).

Bharatia does not specifically disclose storing data regarding the location update including the subscriber's TA-in the HSS so as to be protected against loss of the location information of the subscriber in the mobile network.

Foti teaches storing data regarding the location update including the subscriber's TA-in the HSS so as to be protected against loss of the location information of the subscriber in the mobile network (see column 2, lines 9-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Foti into the system of Bharatia in order to provide a call processing function that are selective perform (see Foti, column 2, lines 21-22).

Regarding claim 2, Bharatia teaches upon the S-CSCF losing information, lost information including the subscriber's TA may be restored (see page 4, [0081]).

Bharatia does not specifically disclose lost information including the subscriber's TA may be restored to the S-CSCF from the information stored in the HSS.

Foti teaches lost information including the subscriber's TA may be restored to the S-CSCF from the information stored in the HSS (see column 2, lines 9-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Foti into the system of Bharatia in

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order to provide a call processing function that are selective perform (see Foti, column 2, lines 21-22).

Regarding claim 5, Bharatia teaches a method of recovering location information of a subscriber in a mobile network (see page 4, [0078] and [0081]), the method comprising: forwarding a registration request from the subscriber to a Serving-Call State Control Function (S-CSCF) (see fig.3) including the subscriber's TA Transport Address (TA) which is a current Care of Address of the subscriber (see page 4, [0079]), forwarding a location update from the S-CSCF to a Home Subscription Server (HSS) (see fig.3) including the subscriber's TA (also see page 4, [0079]), and storing information including the subscriber's TA so as to be protected against loss (see page 4, [0078] and [0081], the teaching of Bharatia inherently teaches storing information so as to be protected against loss).

Bharatia does not specifically disclose storing information including the subscriber's TA in the S-CSCF so as to be protected against loss.

Foti teaches storing information including the subscriber's TA in the S-CSCF so as to be protected against loss (see column 2, lines 9-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Foti into the system of Bharatia in order to provide a call processing function that are selective perform (see Foti, column 2, lines 21-22).

Regarding claim 8, Bharatia teaches a method of recovering location information of a subscriber in a mobile network (see page 4, [0081]), the method comprising:

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forwarding a registration request from the subscriber to a Serving-Call State Control Function (S-CSCF) (see fig.3) including the subscriber's Transport Address (TA) which is a current Care of Address of the subscriber (see page 4, [0079]), forwarding a location update of the subscriber in the mobile network from the S-CSCF to a Home Subscription Server (HSS) (also see fig.3) including the subscriber's TA and address of the S-CSCF (also see page 4, [0079]), and storing information including the subscriber's TA so as to be protected against loss (see page 4, [0081], the teaching of Bharatia inherently teaches storing information so as to be protected against loss).

Bharatia does not specifically disclose storing data regarding the location update including the subscriber's TA-in the HSS so as to be protected against loss of the location information of the subscriber in the mobile network.

Foti teaches storing data regarding the location update including the subscriber's TA-in the HSS so as to be protected against loss of the location information of the subscriber in the mobile network (see column 2, lines 9-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Foti into the system of Bharatia in order to provide a call processing function that are selective perform (see Foti, column 2, lines 21-22).

Regarding claim 9, Bharatia teaches upon the S-CSCF losing data, lost data including the subscriber's TA may be restored (see page 4, [0081], the teaching of Bharatia inherently teaches storing information so as to be protected against loss).

Bharatia does not specifically disclose lost data including the subscriber's TA may be restored to the S-CSCF from the data stored in the HSS.

Foti teaches lost data including the subscriber's TA may be restored to the S-CSCF from the data stored in the HSS (see column 2, lines 9-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Foti into the system of Bharatia in order to provide a call processing function that are selective perform (see Foti, column 2, lines 21-22).

Regarding claim 12, Bharatia teaches a method of recovering location information of a subscriber in a mobile network (see page 4, [0078] and [0081]), the method comprising: forwarding a registration request from the subscriber to a Serving-Call State Control Function (S-CSCF) (see fig.3) including the subscriber's TA Transport Address (TA) which is a current Care of Address of the subscriber (see page 4, [0079]), forwarding a location update from the S-CSCF to a Home Subscription Server (HSS) (see fig.3) including the subscriber's TA (also see page 4, [0079]), and storing information including the subscriber's TA so as to be protected against loss (see page 4, [0078] and [0081], the teaching of Bharatia inherently teaches storing information so as to be protected against loss).

Bharatia does not specifically disclose storing information including the subscriber's TA in the S-CSCF so as to be protected against loss.

Foti teaches storing information including the subscriber's TA in the S-CSCF so as to be protected against loss (see column 2, lines 9-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Foti into the system of Bharatia in order to provide a call processing function that are selective perform (see Foti, column 2, lines 21-22).

7. Claims 3, 4, 6, 7, 10, 11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bharatia (Pub.No.: US 2001/0031635 A1) in view of Foti et al (US 6,654,606) and further in view of Taguchi et al (US 6,136,532).

Regarding claim 3, the combination of Bharatia and Foti teaches storing data in the HSS (see Foti, see column 2, lines 9-24). The combination of Bharatia and Foti does not specifically disclose storing data in a non-volatile memory.

Taguchi teaches storing data in a non-volatile memory (see column 16, lines 53-58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Bharatia and Foti in order to retain the data in the event of power losses.

Regarding claim 4, the combination of Bharatia and Foti teaches storing data in a non-volatile memory in the HSS (see Foti, see column 2, lines 9-24).

The combination of Bharatia and Foti does not specifically disclose storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive.

Taguchi further teaches storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive (see Taguchi, column 16, lines 53-58).

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Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Bharatia and Foti in order to retain the data in the event of power losses.

Regarding claim 6, the combination of Bharatia and Foti teaches storing data in the HSS (see Foti, see column 2, lines 9-24). The combination of Bharatia and Foti does not specifically disclose storing data in a non-volatile memory.

Taguchi teaches storing data in a non-volatile memory (see column 16, lines 53-58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Bharatia and Foti in order to retain the data in the event of power losses.

Regarding claim 7, the combination of Bharatia and Foti teaches storing data in a non-volatile memory in the HSS (see Foti, see column 2, lines 9-24).

The combination of Bharatia and Foti does not specifically disclose storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive.

Taguchi further teaches storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive (see Taguchi, column 16, lines 53-58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Bharatia and Foti in order to retain the data in the event of power losses.

Regarding claim 10, the combination of Bharatia and Foti teaches storing data in the HSS (see Foti, see column 2, lines 9-24). The combination of Bharatia and Foti does not specifically disclose storing data in a non-volatile memory.

Taguchi teaches storing data in a non-volatile memory (see column 16, lines 53-58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Bharatia and Foti in order to retain the data in the event of power losses.

Regarding claim 11, the combination of Bharatia and Foti teaches storing data in a non-volatile memory in the HSS (see Foti, see column 2, lines 9-24).

The combination of Bharatia and Foti does not specifically disclose storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive.

Taguchi further teaches storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive (see Taguchi, column 16, lines 53-58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Bharatia and Foti in order to retain the data in the event of power losses.

Regarding claim 13, the combination of Bharatia and Foti teaches storing data in the HSS (see Foti, see column 2, lines 9-24). The combination of Bharatia and Foti does not specifically disclose storing data in a non-volatile memory.

Taguchi teaches storing data in a non-volatile memory (see column 16, lines 53-58).

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Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Bharatia and Foti in order to retain the data in the event of power losses.

Regarding claim 14, the combination of Bharatia and Foti teaches storing data in a non-volatile memory in the HSS (see Foti, see column 2, lines 9-24).

The combination of Bharatia and Foti does not specifically disclose storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive.

Taguchi further teaches storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive (see Taguchi, column 16, lines 53-58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Bharatia and Foti in order to retain the data in the event of power losses.

8. Claims 16, 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) in view of Sanchez-Herrero et al (Pub.No.: US 2002/0147845 A1).

Regarding claim 16, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches the method of claims 15 22 and 26. The 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) does not specifically disclose forwarding the route request to the UMS comprises forwarding an indication to the UMS that the S-CSCF fails to have a Care Of Address of the subscriber.

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Sanchez-Herrero et al (Pub.No.: US 2002/0147845 A1) teaches forwarding the route request to the UMS comprises forwarding an indication to the UMS that the S-CSCF fails to have a Care Of Address of the subscriber (see page 5, [0047], the "HSS" reads on applicant's UMS. In addition, applicant's specification fails to further recite what a UMS is).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Sanchez-Herrero into the system of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) in order to deliver performance feedback to the sender.

Regarding claim 22, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches the method of claims 15 22 and 26. The 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) does not specifically disclose forwarding the route request to the UMS comprises forwarding an indication to the UMS that the S-CSCF fails to have a Care Of Address of the subscriber.

Sanchez-Herrero et al (Pub.No.: US 2002/0147845 A1) teaches forwarding the route request to the UMS comprises forwarding an indication to the UMS that the S-CSCF fails to have a Care Of Address of the subscriber (see page 5, [0047], the "HSS" reads on applicant's UMS. In addition, applicant's specification fails to further recite what a UMS is).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Sanchez-Herrero into the system

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of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) in order to deliver performance feedback to the sender.

Regarding claim 26, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches the method of claims 15 22 and 26. The 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) does not specifically disclose forwarding the route request to the UMS comprises forwarding an indication to the UMS that the S-CSCF fails to have a Care Of Address of the subscriber.

Sanchez-Herrero et al (Pub.No.: US 2002/0147845 A1) teaches forwarding the route request to the UMS comprises forwarding an indication to the UMS that the S-CSCF fails to have a Care Of Address of the subscriber (see page 5, [0047], the "HSS" reads on applicant's UMS. In addition, applicant's specification fails to further recite what a UMS is).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Sanchez-Herrero into the system of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) in order to deliver performance feedback to the sender.

9. Claims 17, 20, 23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) in view of Bergenwall et al (US 6,721,291).

Regarding claim 17, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches claim 15. The 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) does not specifically

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disclose forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber.

Bergenwall teaches forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber (see column 4, lines 54-60).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Bergenwall into the system of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) in order to prevent wasting bandwidth (see Bergenwall, column 4, lines 60-63).

Regarding claim 20, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches claim 15. The 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) does not specifically disclose forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber.

Bergenwall teaches forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber (see column 4, lines 54-60).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Bergenwall into the system of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) in order to prevent wasting bandwidth (see Bergenwall, column 4, lines 60-63).

Regarding claim 23, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches claim 15. The 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) does not specifically

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disclose forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber.

Bergenwall teaches forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber (see column 4, lines 54-60).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Bergenwall into the system of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) in order to prevent wasting bandwidth (see Bergenwall, column 4, lines 60-63).

Regarding claim 27, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches claim 15. The 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) does not specifically disclose forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber.

Bergenwall teaches forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber (see column 4, lines 54-60).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Bergenwall into the system of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) in order to prevent wasting bandwidth (see Bergenwall, column 4, lines 60-63).

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10. Claims 18, 24, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) in view of Sanchez-Herrero et al (Pub.No.: US 2002/0147845 A1) and further in view of Bergenwall et al (US 6,721,291).

Regarding claim 18, the combination of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) and Sanchez-Herrero teaches 16, 22 and 26. The combination of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) and Sanchez-Herrero does not specifically disclose forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber.

Bergenwall teaches forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber (see column 4, lines 54-60).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Bergenwall into the system of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) and Sanchez-Herrero in order to prevent wasting bandwidth (see Bergenwall, column 4, lines 60-63).

Regarding claim 24, the combination of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) and Sanchez-Herrero teaches 16, 22 and 26. The combination of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) and Sanchez-Herrero does not specifically disclose forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber.

Bergenwall teaches forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber (see column 4, lines 54-60).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Bergenwall into the system of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) and Sanchez-Herrero in order to prevent wasting bandwidth (see Bergenwall, column 4, lines 60-63).

Regarding claim 28, the combination of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) and Sanchez-Herrero teaches 16, 22 and 26. The combination of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) and Sanchez-Herrero does not specifically disclose forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber.

Bergenwall teaches forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber (see column 4, lines 54-60).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Bergenwall into the system of the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) and Sanchez-Herrero in order to prevent wasting bandwidth (see Bergenwall, column 4, lines 60-63).

Response to Arguments

11. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

On pages 12-13 of applicant's remarks, applicant argues that the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) does not disclose a UMS.

The examiner, however, disagrees. The 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches a "hHSS" (see page 53, Fig.B.3, V6,) and the "hHSS" reads on applicant's "UMS". In addition, applicant's specification fails to further recite what a UMS is. Therefore, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) does indeed teach the claimed limitation with the broadest reasonable interpretation.

On pages 16-17 of applicant's remarks, applicant further argues that Sanchez-Herrero and Bergenwall does not suggest the subject matter of the independent claims including the Call State Control Function entities and the USM as recited in independent claims 15, 16, 19, 21, 22, 25 and 26.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, the 3GPP (3G TR 23.821 V1.0.1 Release 2000-07) teaches the subject matter of the independent claims including the Call State Control Function entities and the USM and the combination of the 3GPP (3G TR 23.821 V1.0.1 Release

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2000-07), Herrero and Bergenwall does in deed teaches applicant's claimed invention. In addition, applicant's attention is directed to the claims 15, 16, 19, 21, 22, 25 and 26 above.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly

1/2/05
04/04/05

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